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PRESS RELEASE

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Attorney General Frosh Urges NHTSA to Repeal Trump-Era Attack on California Authority to Set Clean Car Standards

BALTIMORE, MD (June 11, 2021) – Maryland Attorney General Brian E. Frosh today [joined a coalition](#) of 22 states and the cities of Oakland, Los Angeles, San Francisco, and San Jose in urging the National Highway Transportation Safety Administration (NHTSA) to repeal a Trump-era rule, known as the “Preemption Rule,” that purported to preempt California’s greenhouse gas and zero-emission-vehicles (ZEV) standards. California’s standards have been adopted by states representing more than one-third of the U.S. automobile market, and reduce emissions by hundreds of thousands of tons annually. In their letter, the coalition argues that NHTSA lacked authority under the Energy Policy and Conservation Act to promulgate the Preemption Rule and that the rule must be repealed.

“The California standards, which have demonstrably improved air quality, are a key part of Maryland’s efforts to protect public health and our environment,” said Attorney General Frosh. “NHTSA’s actions during the previous administration were unlawful, irresponsible, and dangerous. The agency needs to reverse course and put us back on track in addressing the climate crisis.”

California’s greenhouse gas and ZEV standards, which are adopted by Maryland, are critical to the fight against climate change, for improving air quality and protecting public health, and for driving technological innovation. Fifty years of experience has shown that the adoption of vehicle emissions standards not only reduces vehicular pollution in the present, but drives the development and deployment of technologies that enable further cost-effective emission reductions in the future.

In the comment letter, the coalition argues that NHTSA must repeal the Preemption Rule because NHTSA lacked authority to promulgate it in the first place, and should do so for the additional reason that the rule was an unprecedented and unwarranted attack on longstanding state laws central to efforts to protect their residents from the harmful effects of air pollution and climate change.

Joining Attorney General Frosh in the letter are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Massachusetts,

Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Vermont, Washington, and Wisconsin; the city attorneys of Oakland, Los Angeles, San Francisco, and San Jose; as well as the California Air Resources Board.

<https://www.marylandattorneygeneral.gov/press/2021/061121a.pdf>